

State Of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawaii

November 19, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

SUBJECT: Request for Special Use Permit from March of Dimes Hawaii Chapter to use the Large Pavilion and Certain Portions of the Wailoa River State Recreation Area in Hilo, Hawaii for their "40th Annual March for Babies" Fundraising Walk

In their letter of September 22, 2009 (Exhibit A), the March of Dimes Hawaii Chapter is requesting to use the pavilion at Wailoa River State Park to hold their 40th Annual *March for Babies* fundraising walk.

The set up will begin at 6:00 a.m. on Sunday, March 21, 2010, and the walk will begin at 8:00 a.m. It should conclude by 11:00 a.m. that morning. They are expecting 200-300 participants. There will be entertainment and food served as they return from their walk. As a pledge walk, participants will be turning in donations they have collected to the March of Dimes at the park. There will not be any vendors and the March of Dimes will not be selling anything at the park.

The Special Use Permit will be for March 21, 2010 only.

"The March of Dimes Foundation was established by President Franklin D. Roosevelt in 1938 and has been in Hawaii since 1939. Originally founded to find a cure for Polio, the mission of the March of Dimes is to improve the health of babies by preventing birth defects, premature births and infant mortality. In Hawaii, the March of Dimes funds the NUCU (Neonatal Intensive Care Unit) Family Support Program at Kapi'olani Medical Center, provides grants for programs statewide and on each of the islands and distributes free health education materials for Hawaii's families."

ITEM E-1

The copy of the submittal was sent to the Office of Hawaiian Affairs for their review. No comments were received.

Staff is recommending approval of the March of Dimes Hawaii Chapter's request.

RECOMMENDATION:

That the Board approve the issuance of a Special Use Permit to The March of Dimes Hawaii Chapter for their 40th Annual *March for Babies* fundraising walk at the Wailoa River State Recreation Area (Event Site) in accordance with the representations above-mentioned and subject to the following conditions whereby the Permittee shall:

1. be allowed to collect money (i.e. pledges, donations, etc.) at the Event Site, for the duration of the Special Use Permit;
2. provide an appropriate number of security personnel for the Event;
3. obtain all necessary County of Hawaii and State of Hawaii permits including, but not limited to, permits from the Divisions of State Parks and Boating and Ocean Recreation;
4. procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Special Use permit, commercial general liability insurance, in an amount of at least \$1,000,000.00 for each occurrence and \$2,000,000.00 aggregate, with an insurance company or companies licensed to do business in the State of Hawaii. The policy or policies of insurance shall name the State of Hawaii as an additional insured. The insurance shall cover the entire Event Site, including all grounds and all roadways or sidewalks on or adjacent to the Event Site in the use or control of the Permittee;
5. operate food service in compliance with all applicable State Department of Health rules and regulations and the Fire Code of the County of Hawaii;
6. waive any and all claims they may have against the State of Hawaii and its respective officers, agents and employees, and agrees to defend, hold harmless and indemnify the State of Hawaii and its respective officers, agents and employees from any suits, actions and claims arising out of and in any way connected with the activities permitted under the permit;

7. not obstruct or unreasonably interfere with the general public in their normal use of the Wailoa River State Recreation Area;
8. be liable for repairs, replacement and/or payment for any damages incurred at the Event Site during the period of this permit;
9. pay the appropriate large pavilion rental fee together with an applicable refundable deposit and a \$100 per day commercial rental fee;
10. be responsible for clean up of the Event Site and along the *March For Babies fundraising walk* route at the conclusion of the Event to the satisfaction of the Department;
11. provide supplies (i.e. toilet paper, soap, etc.) in the restrooms as needed, and shall monitor and clean the restroom on an hourly basis during the hours of the Event;
12. direct parking and traffic flow for the Event;
13. not be permitted to bring pets or animals except service animals into the park;
14. complete its Event, including clean up and vacate the Event Site prior to 12:00 midnight;
15. comply with any other conditions that may be imposed by the Department, the Board of Land and Natural Resources, the Chairperson and/or rule revisions adopted prior to the commencement of the Event.

Respectfully submitted,



Daniel S. Quinn
State Parks Administrator

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN, Chairperson

09-260

march of dimes®

march for babies™

September 22, 2009

Hawaii State DLNR ~ Wailoa River State Park
75 Aupuni Street, Room 204
Hilo, HI 96720

Attn: Lorna Kahele

The March of Dimes Hawaii Chapter would like to request the use of the pavilion at Wailoa River State Park and Pavilion on Sunday, March 21, 2010 for our 40th Annual *March for Babies* fundraising walk. If that date is unavailable, as an alternate, we would like to request Sunday, March 14, 2010. Enclosed please find a check for \$175.00 as site deposit and fees.

The March of Dimes Foundation was established by President Franklin D. Roosevelt in 1938 and has been in Hawaii since 1939. Originally founded to find a cure for Polio, the mission of the March of Dimes is to improve the health of babies by preventing birth defects, premature birth and infant mortality. In Hawaii, the March of Dimes funds the NICU (Neonatal Intensive Care Unit) Family Support Program at Kapi'olani Medical Center, provides grants for programs statewide and on each of the islands and distributes free health education materials for Hawaii's families.

We would need the pavilion from 6:00 am, for set up, until 12:00 noon for breakdown. The walk will begin at 8:00 am and should conclude by 11:00. We anticipate having 200 - 300 participants. There will be entertainment and food served as they return from their walk. As a pledge walk, participants will be turning in donations they have collected to the March of Dimes at the park. There will not be any vendors and the March of Dimes will not be selling anything at the park.

We will include Wailoa River State Park and the State of Hawaii as additional insured on our event insurance policy. Thank you for your assistance with the use of this facility.

Mahalo,


Carmella Hernandez
State Director

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HILLO HI
STATE DLNR